

AMENDED IN ASSEMBLY APRIL 21, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1543**

---

**Introduced by Assembly Member Holden**

January 23, 2014

---

An act to amend Section 1401 of the Labor Code, relating to employment.

LEGISLATIVE COUNSEL'S DIGEST

AB 1543, as amended, Holden. Employment: mass layoffs, relocations, and terminations.

Existing law creates the Governor's Office of Business and Economic Development and requires that the office serve the Governor as the lead entity for economic strategy and the marketing of California on issues relating to business development, private sector investment, and economic growth. Existing law prohibits ~~employers~~ *an employer* from ordering a mass layoff, relocation, or termination, as defined, of an industrial or commercial facility employing a prescribed number of people; without first giving 60 days' written notice, ~~as specified, to,~~ *among others*, affected employees and ~~certain government agencies and officials~~ *the Employment Development Department, as specified.*

~~This bill would require that an employer ordering a mass layoff, relocation, or termination also provide the written notice to the Governor's Office of Business and Economic Development. This~~

*This bill would require the Employment Development Department, upon receipt of the written notice, to forward a copy of the notice to the Governor's Office of Business and Economic Development. The bill would also require the Employment Development Department and the*

*Governor's Office of Business and Economic Development* each to post the notice on ~~its~~ *their* Internet Web-site sites.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 1401 of the Labor Code is amended to  
2 read:

3 1401. (a) An employer may not order a mass layoff, relocation,  
4 or termination at a covered establishment unless, 60 days before  
5 the order takes effect, the employer gives written notice of the  
6 order to the following:

7 (1) The employees of the covered establishment affected by the  
8 order.

9 (2) (A) The Employment Development Department, ~~the~~  
10 ~~Governor's Office of Business and Economic Development~~, the  
11 local workforce investment board, and the chief elected official  
12 of each city and county government within which the termination,  
13 relocation, or mass layoff occurs.

14 (B) The Employment Development Department shall, upon  
15 receipt of the notice, ~~post the notice on its Internet Web site.~~  
16 *forward a copy of the notice to the Governor's Office of Business*  
17 *and Economic Development. The Employment Development*  
18 *Department and the Governor's Office of Business and Economic*  
19 *Development shall each post the notice on its Internet Web site.*

20 (b) An employer required to give notice of any mass layoff,  
21 relocation, or termination under this chapter shall include in its  
22 notice the elements required by the federal Worker Adjustment  
23 and Retraining Notification Act (29 U.S.C. Sec. 2101 et seq.).

24 (c) Notwithstanding the requirements of subdivision (a), an  
25 employer is not required to provide notice if a mass layoff,  
26 relocation, or termination is necessitated by a physical calamity  
27 or act of war.